

## REMARKS

In the December 20, 2004 Office Action, the Examiner noted that claims 1-5, 7, 8 and 10-21 were pending in the application; rejected claims 2, 7 and 8 under the second paragraph of 35 USC § 112; rejected claim 16 under 35 USC § 102(e); and rejected claims 1-5, 7, 8, 10-15 and 17-21 under 35 USC § 103. In rejecting the claims, U.S. Patents 6,675,170 to Flake (Reference A in the March 15, 2004 Office Action); 6,327,590 to Chidlovskii et al.; 6,269,368 to Diamond; (References A and B, respectively in the December 20, 2004 Office Action); and 6,078,913 to Aoki et al. (Reference A in the September 17, 2003 Office Action); and U.S. Patent Application Publication 2002/0065671 to Goerz, Jr. et al. (Reference C in the December 20, 2004 Office Action) were cited. Claims 1-5, 7, 8 and 10-21 remain in the case. The Examiner's rejections are traversed below.

### Rejections under 35 USC § 112, Second Paragraph

At the bottom of page 2 of the Office Action, claim 2 was rejected under the second paragraph of 35 USC § 112 due to lack of antecedent basis for "the collected document". Claim 2 has been amended to use the indefinite article the first time "collected document" is recited in claim 2.

On page 3 of the Office Action, claims 7 and 8 were rejected for using prepositional phrases instead of adjectives to differentiate between different uses of the noun "document". Therefore, claims 7 and 8 have been amended to add adjectives, so that the Examiner will have no difficulty differentiating between the different uses of "document".

For the above reasons, it is submitted that claims 2, 7 and 8 meet the requirements of 35 USC § 112, second paragraph. If the Examiner disagrees, the Examiner is respectfully requested to contact the undersigned by telephone to arrange and Examiner Interview prior to issuing the next Office Action, to expedite the process of amending the claims in an acceptable manner. Otherwise, withdrawal of the rejections under 35 USC § 112 is respectfully requested.

### Rejection under 35 USC § 102(e)

On page 4 of the Office Action, claim 16 was rejected under 35 USC § 102(e) as anticipated by Chidlovskii et al. In rejecting claim 16, two portions of the Summary of the Invention of Chidlovskii et al. were cited. The first five lines of column 3, describe applying a "context profile to the search query to generate a context of the search query" (column 3, lines 1-2) prior to performing a search based on the search query. Column 3, lines 30-40 describes

multiple user profiles, each of which corresponds to "a particular document collection and ranking or rating the various terms within the document collection" (column 3, lines 30-31) which can be updated "based on new submissions or documents produced in the search" (column 3, lines 37-38).

Nothing has been found in the cited portions or any other portions of Chidlovskii et al. suggesting a "significance level indicating a relationship between original documents and other documents inside or outside ... [a] community which are linked to the original documents" (claim 16, last three lines). Therefore, it is submitted that claim 16, as amended, patentably distinguishes over Chidlovskii et al.

### **Rejection under 35 USC § 103(a)**

On pages 4-7 of the Office Action, claims 1, 10, 11, 14, 15, 18, 19 and 21 were rejected under 35 USC § 103(a) as unpatentable over Flake. The portions of Flake cited in rejecting claim 1 were a paragraph about prior art search techniques which use "the link structure of a document to estimate the document quality" (column 1, lines 56-57); three paragraphs in column 4 which are directed to a method used to "divide a database into two subsets" (column 4, line 25) based on "similarity" which is defined as being "linked (in either direction) to more similar documents than dissimilar documents" (column 4, lines 35-37); and reference numerals 100, 102 and 104 in Fig. 1 and perhaps Fig. 3. Specifically, "crawling the network" (Office Action, page 5, line 2) as represented by block 104 in Fig. 1; a "community of related WWW sites" 102 in Fig. 1 and seed documents 100 illustrated in Fig. 1 as three documents, (although cited in the Office Action as appearing in Fig. 3) were cited.

The process illustrated in Fig. 1 and described at column 4, line 23 to column 5, line 58 is significantly different than what is recited in claim 1 in several ways. First, the "community of related WWW sites" 102 as labeled in Fig. 1 is the "OUTPUT" of the process, not a community from which the first documents are collected as recited on lines 3-4 of claim 1. Contrary to the assertion of the Examiner, the "community" 102 in Flake does not correspond to the community recited in claim 1. Rather, the community in claim 1 most closely corresponds to the seed set 100 in Flake, since the seed set is the starting point not the ending point of the process illustrated in Fig. 1 of Flake. However, all of the documents in the seed set are included in the output as indicated by the three solid dots in the OUTPUT which are identified by the reference numeral 100 at the far right side of Fig. 1. Thus, the documents "outside the community" (claim 1, line 6) most closely correspond to the documents searched by WWW crawler 104.

Unlike Flake which discloses how to create a "community" 102 of documents, claim 1 is directed to collecting documents that have already been grouped into documents in "a community" (claim 1, line 4) and documents "outside the community" (claim 1, line 6). No suggestion of collecting documents **after** creation of a community or "subset" has been found in the cited portions of Flake.

Once the correspondence between groups of documents recited in the claims and disclosed by Flake is understood, it is immediately apparent that Flake does not perform the operation of "collecting first documents ... from inside a community" (claim 1, lines 3-4). The only collection that occurs in Flake is the collection of additional documents similar to the documents in the seed set 100. For the reasons set forth above, it is submitted that claim 1 and claims 10, 11, 14 and 15 which depend therefrom patentably distinguish over Flake.

On pages 7-12, claims 2-5, 7, 12, 13, 17 and 20 were rejected under 35 USC § 103(a) as unpatentable over Flake in view of Diamond, Goerz Jr. et al., or Aoki et al. Nothing was cited or has been found in any of these three secondary references suggesting modification of Flake to overcome the deficiencies discussed above with respect to claim 1. Since claims 2-5, 12 and 13 depend from claim 1, it is submitted that claims 2-5, 12 and 13 patentably distinguish over any combination of these four references for at least the reasons discussed above with respect to claim 1.

In rejecting claims 7, 8, 12 and 20, column 12, lines 52-67 of Diamond was cited. This portion of Diamond describes matcher/combiner 55 which "performs matching between documents and the query" (column 12, lines 52-53). Claim 20 recites "providing a positive sample document group which is a document group relating to a field, and a negative sample document group which is a document group less related to the field" (claim 20, lines 4-5), not a query as taught by Diamond. As discussed above, Flake only supplies a positive sample group; no negative sample group is provided. Therefore, it is submitted that claim 20 patentably distinguishes over the combination of Flake and Diamond.

At the end of the discussion of the rejection of claims 7, 8 and 20 (in the paragraph preceding the heading "Claim 12:"), there is a reference to teachings of "Sundaresan" (Office Action, page 9, line 14). If an additional reference besides Flake and Diamond was intended to be used to reject claims 7, 8 and 20, the Examiner is respectfully requested to identify the reference.

In rejecting claims 5 and 17, Fig. 1 and column 5, lines 12-35 of Aoki '913 were cited. Fig. 1 of Aoki '913 contains two blocks labeled "Fig. 1A and Fig. 1B; therefore, it is assumed that the Examiner was citing Figs. 1A and 1B which show a block diagram of computers connected to a document retrieval apparatus (Fig. 1B). The cited text lists the components illustrated in Fig. 1B and states that the contents database 123 "stores document index information for each URL of the document ... [which includes] the title of each of the documents, keywords related to the contents of each of the documents and URL list linked to the documents" (column 5, lines 29-33). On the other hand, claim 17 recites "determining whether or not the prospect is in a community" (claim 17, lines 7-8) and "collecting the prospect ... from inside and outside the community" (claim 17, lines 10-11). As discussed above with respect to claim 1, Flake does not teach searching two sets of documents as recited in claim 17. Neither the cited portion or anything else in Aoki '913 has been found that suggests modification of Flake to perform these operations. Therefore, it is submitted that claim 17 patentably distinguishes over Flake in view of Aoki '913.

#### Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-5, 7, 8 and 10-21 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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